

EXHIBIT 5

[TO COMPLAINT]

Letter from John C. Burns
dated November 10, 2022

BURNS LAW FIRM

P.O. BOX 191250
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JOHN C. BURNS, Esq.
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November 10, 2022

**VIA FEDEX OVERNIGHT DELIVERY
AND ELECTRONIC MAIL TO voterinfo@risc.maricopa.gov,
recorder@risc.maricopa.gov, mgilbertson@risc.maricopa.gov,
And PIO@risc.maricopa.gov**

Stephen Richer
Maricopa County Recorder's Office
111 S. Third Avenue
Phoenix, AZ 85003

Maricopa County Elections Department
510 S. 3rd Avenue,
Phoenix, AZ 85003

Re: Immediate Cease and Desist from Further First Amendment Violations

Dear Mr. Richer:

My firm represents The Gateway Pundit (www.thegatewaypundit.com) and its reporters, including Jordan Conradson. As you know, the media are vested with a number of rights in the United States, the most important of which is the First Amendment. However, it has come to my attention that your office and members of the "Elections Command Center" have arbitrarily and maliciously excluded my clients from attending press conferences.

For example, Mr. Conradson requested access and he was sent an email denial stating:

Thank you for applying for a Maricopa County Press Pass.
This email is to notify you that you have been denied a press credential based on the following criteria which is listed on Maricopa.gov:

- #4: You (a) do not avoid real or perceived conflicts of interest and (b) are not free of associations that would compromise journalistic integrity or damage credibility.

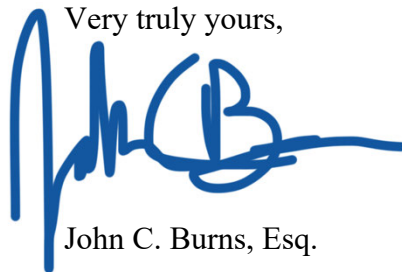
Therefore, you are not a bona fide correspondent of repute in your profession.

Your office's denial of press credentials to my clients is a **text-book impermissible content-based prior restraint of speech** and in direct violation of my clients' rights. *See generally, Shurtleff v. Boston*, 596 U.S. ____ (2022); *see also Rossignol v. Voorhaar*, 316 F.3d 516 (4th Cir. 2003). You have no legitimate ability to do this and your office is incurring legal liability by engaging in this obvious gamesmanship.

On behalf of my clients, I demand that you immediately cease this outrageous conduct and permit my clients to access the press conferences of the "Elections Command Center." If you do not do so immediately, then we will be filing a civil rights lawsuit pursuant to 42 U.S.C. § 1983 for injunctive relief and damages under the First and Fourteenth Amendments to the United States Constitution.

Please contact me immediately to indicate whether you intend to honor and abide my clients' rights. My direct line is 314-329-5040.

Very truly yours,

A handwritten signature in blue ink, appearing to read "JCB", with a stylized flourish extending to the right.

John C. Burns, Esq.

Attorney for
The Gateway Pundit
Jordan Conradson

JCB/er

cc: Megan Gilbertson, Marcus Milam, Jordan Conradson, Jim Hoft